

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Appl'n of: Ashley et al.*Att'y Ref. No.:* 010041.07 US*Appl'n No.:* (as yet unknown)*Filed:* as signed below*Group Art Unit:* 1623*Examiner:* E. Peselev*Title:* MOTILIDE COMPOUNDS*Mailing Address:* Kosan Biosciences, Inc.
3832 Bay Center Place
Hayward, CA 94545PRELIMINARY AMENDMENT

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

The present application is a continuation of Application No. 09/990,554 (the '554 application), filed Nov. 21, 2001, which is the subject of a Final Office Action mailed May 12, 2003. The following papers are submitted herewith:

- (1) petition and fee for three months' extension in respect of the '554 application;
- (2) transmittal and fee for filing of this continuation;
- (3) copy of the '554 application as filed and inventors' declaration therefor;
- (4) a Power of Attorney submitted in respect of the '554 application appointing the undersigned attorney; and

EXPRESS MAIL CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date given below and is addressed to Mail Stop New Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(5) this Preliminary Amendment.

The amendments are submitted according to the revised amendment format announced in 1267 OG 106 (Feb. 25, 2003).

Amendments to the Specification begin at page 3 of this paper.

Amendments to the Claims begin at page 4 of this paper.

Remarks/Arguments begin at page 9 of this paper.